

#4 5000
Rec'd PCT/PTO 23 OCT 1997

PATENT
Docket No. 304142000322

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on October 20, 1997.

Susan Wooldridge
Susan L. Wooldridge

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

MALAYA CHATTERJEE et al.

Serial No.: 08/836,455

Filing Date: May 9, 1997

For: MURINE MONOCLONAL ANTI-
IDIOTYPE ANTIBODY 11D10 AND
METHODS OF USE THEREOF

Examiner: Unassigned

Group Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above-identified application the references 1-3, 6-8, 11-25, 27-29, 31, 34-35, 38-44, 49-78, 81-94 and 96 listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement dated June 28, 1996, directed to the related application Serial Number 08/591,965 and, accordingly, copies are not included herewith (note: application serial no. 08/591,965 was converted to provisional application no. 60/035,345 on December 11, 1996). This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2).

The following references, listed as 4-5, 9-10, 26, 30, 36-37, 45-48, 79-80, 95 and 97-100 on the attached Form PTO-1449, may be material to the above-identified patent application. Copies of these documents were previously submitted in an Information Disclosure Statement

dated July 16, 1997, directed to the related application Serial Number 08/766,350 and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2).

The documents listed as Reference Numbers 32 and 33 on the attached Form PTO-1449 were cited in a Search Report (copy attached) directed to a counterpart international or foreign application. A copy of Chakraborty et al., "Induction of human breast cancer-specific antibody responses in cynomolgus monkeys by a murine monoclonal anti-idiotypic antibody," Cancer Research, 1995, 55(1):1525-1530, was previously submitted in an Information Disclosure Statement dated July 16, 1997, directed to the related application Serial No. 08/766,350. A copy of PCT WO 89/07268 was previously submitted in an Information Disclosure Statement dated June 28, 1996, directed to the related application Serial Number 08/591,965 (note: application serial no. 08/591,965 was converted to provisional application no. 60/035,345 on December 11, 1996). Accordingly, copies of these references are not included herewith.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before a final Office Action or Notice of Allowance.
 - ☐ A fee is required. An authorization to charge the deposit account is provided below.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After receipt of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.


This Information Disclosure Statement is submitted before receipt of the first Office Action on the merits. Therefore, applicant believes that no fee is due. However, the Assistant Commissioner is hereby authorized to charge any fees which may be required by this statement to **Deposit Account Number 03-1952.**

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Dated: October 20, 1997

Respectfully submitted,

By: 
Catherine M. Polizzi
Registration No. 40,130

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (415) 813-5600
Facsimile: (415) 494-0792